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Attorneys for Defendant,
First American Title Insurance Company

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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MORTGAGE FUND IVC TRUST 2016-RN5;
and U.S. BANK N.A., as INDENTURE
TRUSTEE FOR MORTGAGE FUND IVC
TRUST 2017-RN4,

Plaintiffs,

vs.

FIRST AMERICAN TITLE INSURANCE
COMPANY; DOE INDIVIDUALS I-X,
inclusive; and ROE CORPORATIONS I-X,
inclusive,

Defendants.

CASE NO. 2:20-cv-01375-APG-DJA

**STIPULATION AND ORDER TO
STAY CASE DEADLINES PENDING
DISMISSAL OF CASE**

**STIPULATION TO EXTEND TIME
(First Request)**

Defendant, First American Title Insurance Company ("FATIC"), by and through its
counsel of record, the law firm of MAURICE WOOD, and Plaintiffs Mortgage Fund IVC Trust 2016-
RN5 and U.S. Bank N.A., as Indenture Trustee for Mortgage Fund IVC Trust 2017-RN4
("Plaintiffs"), by and through their counsel of record AKERMAN LLP, hereby agree and stipulate
as follows:

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On August 18, 2020, FATIC served Plaintiffs with an Offer of Judgment pursuant to Nev. R. Civ. Pro. 68 and Nev. Rev. Stat. § 17.117.¹ The terms of the Offer of Judgment provided that in the event the Offer of Judgment was accepted, FATIC would pay the amount offered within twenty-one (21) days after service of written notice of acceptance and Plaintiffs' claims against FATIC would be dismissed, with prejudice, as provided by Nev. R. Civ. Pro. 68(d)(2), rather than allow judgment to be entered against FATIC.

On September 1, 2020, Plaintiffs served FATIC with written Notice of Acceptance of Offer of Judgment.

Numerous pending motions have been filed with this Court which the parties would otherwise be required to respond to prior to the date on which this case will be dismissed pursuant to the terms of the Offer of Judgment. In addition, this Court set a deadline for the parties to resubmit the proposed scheduling order. The parties request that all deadlines in the case be stayed pending the anticipated dismissal of the case.

NOW THEREFORE, the Parties, by and through their undersigned counsel, hereby stipulate and agree as follows:

1. The instant action shall immediately be **STAYED**, pending the dismissal of the action.
2. Any now-pending deadlines to file responses to, or replies in support of, any outstanding motions are hereby **VACATED**.

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¹ See Camino Properties, LLC v. Insurance Company of the West, Case No. 2:13-cv-02262-APG-CWH, 2017 WL 526510 (D. Nev. 2017) (in a diversity action, Nev. R. Civ. Pro. 68 is applicable when a plaintiff makes an offer of judgment or if judgment is entered in favor of defendant).

3. The deadline to file a revised scheduling order is hereby **VACATED**.

DATED this 3rd day of September, 2020.

DATED this 3rd day of September, 2020.

AKERMAN LLP

MAURICE WOOD

/s/ Jamie K. Combs

/s/ Brittany Wood

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IVC Trust 2016-RN5 and U.S. Bank N.A.,
as Indenture Trustee for Mortgage Fund
IVC Trust 2017-RN4*

Las Vegas, NV 89134

*Attorneys for Defendant First American Title
Insurance Company*

All pending motions are denied as moot.

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE

DATED: September 3, 2020

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